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LOUIS J BACHAND P O BOX 1508 LA CANADA CA 91012-5508

In re Application of Don Tabor Application No. 10/617,220 Filed: July 10, 2003 DECISION ON PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

For: PROPELLER SYSTEM FOR KITE

This is a decision on Applicant's petition to withdraw the holding of abandonment, filed in the United States Patent and Trademark Office (USPTO) on July 22, 2005.

The petition is **GRANTED**.

A review of the file record reveals that a Final Rejection (herein after referred to as Office action) was mailed to applicant on December 17, 2004. Since a response was not received before the expiration of the three-month statutory period for reply, the application was held abandoned and a Notice to that effect was mailed on July 5, 2005.

Applicant's petition indicates that the Office action mailed December 13, 2004 was never received since it was mailed to the wrong address. Petitioner has submitted evidence showing the failure of the Office to mail this Office action to the correspondence address associated with this application.

The Office action of December 17, 2004 was mailed to the address

OGILVY RENAULT 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, OC H3A2Y3 CANADA

However the correspondence address for this application is:

LOUIS J BACHAND P O BOX 1508 LA CANADA CA 91012-5508

as filed in the Power of Attorney By Inventor(s) (Revocation of Prior Powers) received in the Office on July 15, 2004. The Office action of July 5, 2005 should have been mailed to this address.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to withdraw the abandonment, return the application to pending status and redate and remail the Final Rejection to the correct correspondence address of record.

Kenneth J. Dorner Special Programs Examiner Technology Center 3600 (571) 272-6587

KJD/bg: 10/6/2005